

# 16

# **Notice of Allowability**

Application No.  
**09/055,582**

Applicant(s)  
**Lau et al.**

Examiner  
**Suzette Jackson**

Group Art Unit  
**3738**



All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance and Issue Fee Due or other appropriate communication will be mailed in due course.

☒ This communication is responsive to 30 november 1999

☒ The allowed claim(s) is/are 25-42

☐ The drawings filed on \_\_\_\_\_ are acceptable.

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been  
☐ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

☒ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

A SHORTENED STATUTORY PERIOD FOR RESPONSE to comply with the requirements noted below is set to EXPIRE **THREE MONTHS** FROM THE "DATE MAILED" of this Office action. Failure to timely comply will result in ABANDONMENT of this application. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

☐ Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL APPLICATION, PTO-152, which discloses that the oath or declaration is deficient. A SUBSTITUTE OATH OR DECLARATION IS REQUIRED.

☒ Applicant MUST submit NEW FORMAL DRAWINGS

☒ because the originally filed drawings were declared by applicant to be informal.

☐ including changes required by the Notice of Draftsperson's Patent Drawing Review, PTO-948, attached hereto or to Paper No. \_\_\_\_\_

☐ including changes required by the proposed drawing correction filed on \_\_\_\_\_, which has been approved by the examiner.

☐ including changes required by the attached Examiner's Amendment/Comment.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the reverse side of the drawings. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson.

☐ Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Any response to this letter should include, in the upper right hand corner, the APPLICATION NUMBER (SERIES CODE/SERIAL NUMBER). If applicant has received a Notice of Allowance and Issue Fee Due, the ISSUE BATCH NUMBER and DATE of the NOTICE OF ALLOWANCE should also be included.

## **Attachment(s)**

☐ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

☒ Interview Summary, PTO-413

☒ Examiner's Amendment/Comment

☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

☐ Examiner's Statement of Reasons for Allowance

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### DETAILED ACTION

1. Applicant's amendment, response, and Terminal Disclaimer dated 30 November 1999 and Supplemental Terminal Disclaimer Faxed 13 January 2000 have been received in application serial number 09/055,582. Claim 1 has been officially canceled by the examiner.

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with John Nagy on 13 January 2000.

3. The claims have been amended as follows:

In amended claim 25, line 2	"elements" has been replaced by <b>--rings--</b>
In amended claim 25, line 4	"elements" has been replaced by <b>--rings--</b>
In amended claim 25, line 5	"elements" has been replaced by <b>--rings--</b>
In amended claim 26, line 1	"elements" has been replaced by <b>--rings--</b>
In amended claim 27, line 2	"elements is" has been replaced by <b>--rings are--</b>
In amended claim 29, line 1	"elements" has been replaced by <b>--rings--</b>

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In amended claim 30, line 2

“elements” has been replaced by **--rings--**

In amended claim 31, line 2

“elements” has been replaced by **--rings--** and

“element” has been replaced by **--ring--**

In amended claim 32, line 2

“elements” has been replaced by **--rings--**

In amended claim 33, line 2

“elements” has been replaced by **--rings--**

In amended claim 34, line 2

“elements” has been replaced by **--rings--**

In amended claim 35, line 1

“element” has been replaced by **--ring--**

In amended claim 35, line 2

“element” has been replaced by **--ring--**

In amended claim 36, line 2

“elements” has been replaced by **--rings--**

In amended claim 36, line 3

“elements” has been replaced by **--rings--**

In amended claim 36, line 4

“element” has been replaced by **--ring--**

In amended claim 36, line 5

“element” has been replaced by **--ring--**

In amended claim 36, line 6

“element” has been replaced by **--ring--**

In amended claim 36, line 7

“element” has been replaced by **--ring--** and

“elements” has been replaced by **--rings--**

In amended claim 37, lines 1 and 2

“elements” has been replaced by **--rings--**

In amended claim 38, lines 1 and 2

“elements” has been replaced by **--rings--**

In amended claim 39, lines 1 and 3

“elements” has been replaced by **--rings--**

In amended claim 40, lines 2 and 3

“element” has been replaced by **--ring--**

In amended claim 42, lines 1 and 2

“element” has been replaced by **--ring--**

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*Allowable Subject Matter*

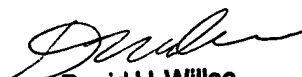
2. Claims 25-42 are now allowed.

3. The following is a statement of reasons for the indication of allowable subject matter:

After full consideration of the Memorandum Opinion (Markman Decision) of January 15, 1999 by Judge Sue Robinson's interpretation of the claims (in related application serial number 09/135,222) the claims of application serial number 09/055,582 have been met over prior art.

4. Any inquiry concerning this communication or earlier communication regarding this application should be directed to examiner Suzette Jackson at (703) 308-6516. If you are unable to reach me, please contact my supervisor, Mickey Yu, at (703) 308-2672. In a case requiring immediate assistance, please call (703) 308-0858 to reach the main operator for Sector 3700.

  
S. Jackson  
14 January 2000

  
David H. Willse  
Primary Examiner



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office

NOTICE OF ALLOWANCE AND ISSUE FEE DUE

QM12/0118

JOHN S NAGY  
FULWIDER PATTON LEE & UTECHT  
10877 WILSHIRE BLVD  
TENTH FLOOR  
LOS ANGELES CA 90024

APPLICATION NO.	FILING DATE	TOTAL CLAIMS	EXAMINER AND GROUP ART UNIT	DATE MAILED
09/055,582	04/06/98	010	JACKSON, S	3738 01/18/00
First Named Applicant	LAU, 35 USC 154(b) term ext. = 0 Days.			

TITLE OF INVENTION EXPANDABLE STENTS AND METHOD FOR MAKING SAME

ATTY'S DOCKET NO.	CLASS-SUBCLASS	BATCH NO.	APPLN. TYPE	SMALL ENTITY	FEE DUE	DATE DUE
3 ACS48047	623-001.160	H04	UTILITY	NO	\$1210.00	04/18/00

**THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED.**

**THE ISSUE FEE MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED.**

**HOW TO RESPOND TO THIS NOTICE:**

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is changed, pay twice the amount of the FEE DUE shown above and notify the Patent and Trademark Office of the change in status, or

B. If the status is the same, pay the FEE DUE shown above.

If the SMALL ENTITY is shown as NO:

A. Pay FEE DUE shown above, or

B. File verified statement of Small Entity Status before, or with, payment of 1/2 the FEE DUE shown above.

II. Part B-Issue Fee Transmittal should be completed and returned to the Patent and Trademark Office (PTO) with your ISSUE FEE. Even if the ISSUE FEE has already been paid by charge to deposit account, Part B Issue Fee Transmittal should be completed and returned. If you are charging the ISSUE FEE to your deposit account, section "4b" of Part B-Issue Fee Transmittal should be completed and an extra copy of the form should be submitted.

III. All communications regarding this application must give application number and batch number. Please direct all communications prior to issuance to Box ISSUE FEE unless advised to the contrary.

**IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.**

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